

**IN THE UNITED STATES DISTRICT COURT  
FOR THE WESTERN DISTRICT OF NORTH CAROLINA  
CHARLOTTE DIVISION  
CIVIL NO. 3:08-cv-00528-W**

**OWEN HARTY, Individually,**

**Plaintiff,**

**vs.**

**CENTER CITY HOTEL PARTNERS,  
LP, a North Carolina Limited  
Partnership, d/b/a Holiday Inn,**

**Defendant.**

**ORDER**

THIS MATTER is before the Court, *sua sponte*, regarding the status of the case. The Court has been advised that the parties have settled all matters in controversy among them (Doc. No. 18). Therefore, this matter is DISMISSED subject to the right of any party to file a motion to reopen the case should settlement not be consummated by October 30, 2009. The parties are directed to file their Stipulation of Dismissal on or before October 30, 2009.

The Clerk is DIRECTED to CLOSE THE CASE.

IT IS SO ORDERED.

Signed: September 30, 2009



Frank D. Whitney  
United States District Judge

